

5
 ARTICLE APPEARED
 ON PAGE A1-1

THE BALTIMORE SUN
 12 MAY 1977

Ex-CIA man says Mardian knew of taps that got FBI agent indicted in N.Y.

By JIM MANN

Washington Bureau of The Sun

Washington—A former Central Intelligence Agency official said yesterday he personally attended meetings at which Robert C. Mardian, the former assistant attorney general, was told of the New York mail-opening and wiretap operations for which a former FBI agent has been indicted.

"I was at meetings with the FBI and Mardian at which all of these things were included, all of them," said James Angleton, the former chief of counterintelligence for the Central Intelligence Agency. "... There is no question that Mardian was fully aware [of the FBI operations]."

Mr. Mardian, head of the Justice Department's internal security division in the Nixon administration, later denied Mr.

Angleton's allegations.

A secretary at the Phoenix construction company where he now works said Mr. Mardian "did not know anything about the FBI operations in New York prior to the time they went on or during the time they went on." Mr. Mardian himself was not available for further questions.

Mr. Angleton's remarks—made at a press conference—appeared to signify an escalation of the battle by intelligence of-

U.S. weighs possible antitrust action against foreign color TV makers... A10

ficials to head off the Justice Department's efforts to prosecute FBI officials connected with the New York operations.

In addition, Mr. Angleton's comments amounted to a public warning that the

prosecutions may eventually lead from the FBI into the Justice Department.

Last month, John J. Kearney, the former supervisor of a special FBI squad in New York which investigated the Weatherman organization from 1970 to 1972, was charged with two counts of conspiracy, one count of unlawful wiretapping and two counts of obstruction of the mails for his role in the mail-opening and wiretap operations.

Justice Department officials said at the time that the Kearney indictment was expected to be the first step in finding out who authorized the allegedly illegal investigative techniques. They said their investigation is continuing.

FBI agents around the nation reacted

with anger to the Kearney indictment. Two weeks ago, a group of FBI agents reportedly told Griffin B. Beil, the Attorney General, that they believed the Justice Department's internal security division had been informed of the New York activities.

But these agents also reportedly admitted they had no first-hand knowledge to support their allegations. Yesterday, Mr. Angleton claimed he had.

Mr. Angleton asserted that Mr. Mardian, with apparent support from the White House, was pushing intelligence officials to collect more information than J. Edgar Hoover, then the FBI director, was gathering. "Mr. Mardian and Mr. Hoover were not necessarily compatible," he said.

In defending the Kearney case, Justice Department officials have repeatedly pointed out that Mr. Hoover personally ordered a halt to illegal investigative techniques in 1966.

When asked whether he knew Mr. Kearney, Mr. Angleton replied, "I did not know him, but I did know the product." He said that when Mr. Mardian and other Justice Department officials were shown the results of some of the New York operations, "They said it was not enough."

The former CIA official emphasized that Mr. Mardian reported directly to John W. Dean 3d, then the White House counsel. "I cannot believe that Mardian was off on a frolic of his own," Mr. Angleton said.

As head of the CIA's powerful counter-intelligence division, Mr. Angleton was one of the officials responsible for the CIA's domestic mail-opening operations, which were also carried out in New York city.

Mr. Angleton concedes that these CIA activities were illegal. But in January, Edward H. Levi, then attorney general, announced that no CIA officials would be prosecuted for the mail-opening operations, in part because they appear to have been carried out with the knowledge and approval of several U.S. Presidents.

FBI officials argue that it is unfair to prosecute the FBI and not the CIA for mail-opening operations. However, they have been unable to develop any evidence that there was any White House authorization for the FBI activities.

Mr. Angleton retired from the CIA in 1975. He said yesterday he is beginning to organize a fund-raising campaign for the legal defense of present and former intelligence officials.

Mr. Angleton said he did not know exactly when the meetings with Mr. Mardian took place, but indicated they were during the period from 1970 to 1972, when the Weathermen were under investigation and when Mr. Mardian was head of the Justice Department's internal security division.

In 1972, Mr. Mardian left the Justice Department to work with the Committee for the Re-election of the President, Mr. Nixon's campaign committee.

STAT